

MEMO ENDORSED

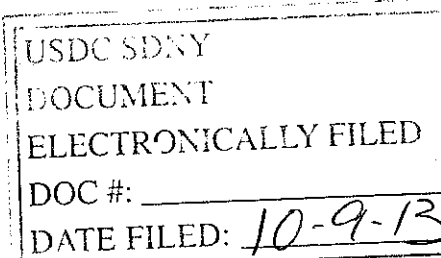
WILMERHALE

October 9, 2013

Peter J. Macdonald

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Honorable Cathy Seibel  
United States District Court  
for the Southern District of New York  
The Honorable Charles L. Brieant Jr. Federal Building and  
United States Courthouse  
Room 218  
300 Quarropas Street  
White Plains, NY 10601-4150

Re: *Bozella v. County of Dutchess; et al.*, No. 10 Civ. 4917 (S.D.N.Y.)

Dear Judge Seibel:

I write on behalf of Plaintiff Dewey R. Bozella with respect to the Court's recent revision to its Individual Practices, dated September 24, 2013, limiting Rule 56.1 Statements to 25 pages.

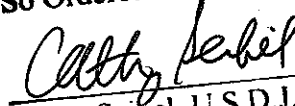
Mr. Bozella served a motion for partial summary judgment on June 14, 2013, which included a 54-page Rule 56.1 Statement. Those papers were served but not filed, pursuant to the Court's instruction to file motion papers after briefing is complete. In light of the Court's subsequent revised practices, Mr. Bozella respectfully requests clarification, of permission, *nunc pro tunc*, that he may file the previously-served Rule 56.1 Statement at the conclusion of briefing. )

Mr. Bozella also notes that Defendants served a motion for summary judgment, (including a Rule 56.1 Statement) on September 13, 2013. Defendants' submission included a 128-page Rule 56.1 Statement, to which Mr. Bozella is currently preparing a response. Mr. Bozella does not oppose the filing of that Rule 56.1 Statement.

Respectfully submitted,

  
Peter J. Macdonald

cc: Patrick T. Burke, Esq. (via email)

Application Granted / ~~Denied~~  
So Ordered.  
Cathy Seibel, U.S.D.J.

Dated: 10/9/13

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Date October 9, 2013

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From Peter J. Macdonald

Pages 2 (including cover)

Re **Bozella v. County of Dutchess, et al., No. 10 Civ. 4917 (S.D.N. Y.)**

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